



**U.S. Department of Justice
U.S. Attorney's Office
Western District of Texas**

Johnny Sutton, U.S. Attorney

FOR IMMEDIATE RELEASE

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March 19, 2007

ROCK SPRINGS DEPUTY SENTENCED FOR CIVIL RIGHTS VIOLATION

United States Attorney Johnny Sutton announced that 25-year-old Guillermo Falcon Hernandez was sentenced to one year and one day in federal prison for shooting into a fleeing vehicle and injuring a passenger.

"In America, we admire our law enforcement officers for their courage and dedication. Their willingness to put their lives on the line to protect us has much to do with why this country is a nation of laws and such a great place to live. However, police officers are not above the law they enforce," stated United States Attorney Johnny Sutton.

"In this case, a jury of twelve Texans heard the evidence and unanimously found Deputy Hernandez guilty of using unreasonable and unlawful deadly force. They concluded that Deputy Hernandez violated the law when he repeatedly fired into the back of a fleeing Suburban that he knew was loaded with people and not a threat to him," stated Sutton. "Today, after reviewing all of the facts and evidence presented by both the prosecution and defense, the court sentenced Deputy Hernandez to one year and a day in federal prison."

In addition to the prison term, United States District Judge Robert T. Dawson ordered that Hernandez pay a \$5,000 fine and be placed under supervised release for a period of three years after completing his prison term. He was also ordered to pay restitution in the amount of \$5,374.00 and a \$100.00 special assessment.

In December, a federal jury in Del Rio, Texas, convicted Hernandez of deprivation of civil rights under color of law. He has been in federal custody since that time.

On April 14, 2005, in Rock Springs, Texas, at approximately 11:50 p.m. Hernandez made a traffic stop of a vehicle that he believed was occupied by nine people a majority of whom were later determined to be illegal aliens being transported into the United States from Mexico. When the driver of the car suddenly began to drive away, Hernandez fired 6 rounds into the vehicle in an effort to stop the vehicle knowing it was occupied with many people. The testimony at trial showed that at least one of those rounds injured a young woman in the vehicle.

The case was investigated by the Federal Bureau of Investigation and the Texas Rangers. Assistant U.S. Attorney's Bill Baumann and David Counts prosecuted this case on behalf of the government.

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